

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEAN-PAUL BOROWIEC,

Plaintiff,

v.

JONES,

Defendant.

No. 2:23-cv-2173-SCR P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. §1983. On August 20, 2024, this court referred this case to the court's early ADR program and stayed these proceedings for 120 days. (ECF No. 16.) The order provided defendant the opportunity to seek to opt out of the ADR program. Defendant has filed a motion to opt out. (ECF No. 17.) Defendant's counsel explains that after investigating plaintiff's claims, discussing settlement with plaintiff, and discussing the case with counsel's supervisors, they feel that a settlement conference at this time would not be productive.

Good cause appearing, IT IS HEREBY ORDERED that

1. Defendant's motion to opt out of the ADR program (ECF No. 17) is granted.
2. The stay of this case is lifted.

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3. Defendant shall file a response to the first amended complaint within thirty days of the date of this order.

DATED: October 25, 2024



SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE